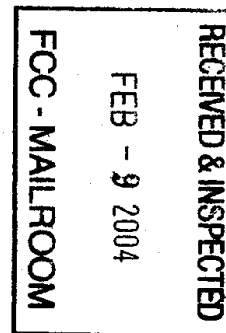


C46203

**Federal Communications Commission
Washington, D.C. 20554**

February 4, 2004

Dana Puopolo
2134 Oak Street, Unit C
Santa Monica, CA 90405



Re: Petition for Rule Making
Mt. Vernon, Washington, Channel 277C

Dear Mr. Puopolo

This letter is in response to the Petition for Rule Making that you filed, requesting the allotment of FM Channel 277C at Mt. Vernon, Washington, as that community's first local aural broadcast service.

Your request for the allotment of Channel 277C at Mount Vernon, Washington, is unacceptable. Our engineering analysis indicates that the site that you specify in your proposal (48-25-12 NL and 122-19-34 WL) is 87 kilometers short-spaced to Channel 276A, Chilliwack, British Columbia and as a Class C station, it will cause destructive interference to that channel in contravention of the United States-Canadian Treaty. In addition, your petition's technical showing to demonstrate that the proposed amendment will comply with the minimum distance separation requirements of Section 73.207 of the rules shows only domestic allotments and fails to include all foreign allotments involved as required, or acknowledge any foreign short-spacings.

Based on the above, we are returning your proposal for Mt. Vernon. You may resubmit the petition, provided that it meets the Commission's technical requirements.

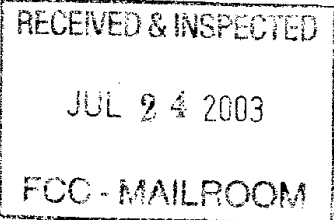
Sincerely,

A handwritten signature in dark ink, appearing to read "John A. Karousos".

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Enclosure

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554



In the matter of)	
Amendment of Section 73.202 (b),)	MB Docket No. _____
Table of Allotments)	
FM Broadcast Stations)	RM- _____
(Mount Vernon, Washington))	

PETITION FOR RULEMAKING

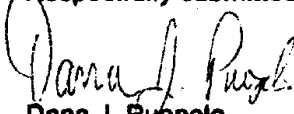
To the Chief, Allocations Branch:

1. Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated:
2. Petitioner proposes the Commission allot FM channel 277C to Mount Vernon, Washington as its first commercial FM service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Mt. Vernon, WA	-	277C

3. Mt. Vernon is an incorporated city located in NW Washington. It is located in Skagit County. In 2000, the United States Census Bureau estimated that Silverdale had a population of 26,232 persons.
4. FM channel 277C can be assigned to Mt. Vernon in full compliance with the Commission's minimum distance separation requirements without a site restriction. This is illustrated in the attached spacing study. Coordinates used are N 48:25:12, W 122:19:34 and are those listed in the National Atlas for Mt. Vernon. Petitioner is confident he can find a suitable transmitter site for channel 277C if it is allotted to Mt. Vernon.
5. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 277C if it is assigned to Mt. Vernon as proposed. If his application is granted, he shall promptly construct and operate the proposed station.
6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,


Dana J. Puopolo
2134 Oak St., Unit C
Santa Monica, CA 90405
July 15, 2003

FM spacing study Channel 277C, Mount Vernon, WA
at coordinates: N 48° 25' 12" Lat., W 122° 19' 34" Long.

CHAN	FREQ	CALL	LOCATION		DIST	REQ	CLEAR
275C	102.9	KMNT	CENTRALIA	WA US	215	105	110
275C	102.9	KMNT	CENTRALIA	WA US	172	105	67
276C2	103.1	KQBE	ELLENSBURG	WA US	221	188	33
277C3	103.3	KWLN	WILSON CREEK	WA US	279	237	42
279C	103.7	KMTT	TACOMA	WA US	105	105	0
280A	103.9	KLLM	FORKS	WA US	162	95	67

